THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NOs : 1470 OF 2000

&

1735 OF 2000

DATED 22-08-2005

WRIT PETITION NO.1470 OF 2000:

BETWEEN:

1. G.Apparao son of G.Appalaswamy, 58 years, A-9, Banglaw Area, Coal Chemicals Complex post Mancherial, Adilabad District.

PETITIONER

AND

1. The Singareni Collieries Co, Ltd., represented by its Chairman & Managing Director, Kothagudem Collieries, Kothagudem, Khammam District and others.

RESPONDENTS.

WRIT PETITION NO.1735 OF 2000:

Between:

Y. Sriranga Raju, son of Sri Bulli Raju, aged 58 years, resident of Plot No.336, Singareni Colony, Saidabad, Hyderabad.500 059.

PETITIONER.

And:

1. The Singareni Collieries Co. Ltd., rep. by its Chairman & Managing Director, Kothagudem Collieries, Kiothagudem, Khammam District and another.

RESPONDENTS.

COMMON ORDER:

In these two writ petitions, common questions of law and fact arise and therefore, they are disposed of by a common order.

At a time, when the writ petitioners were sought to be retired on attaining the age of superannuation of 58 years, these writ petitions are filed claiming that even an officer in the respondent-organisation is permitted to serve up to 60 years and the 60 years is the age of superannuation. The learned counsel for the writ petitioners strenuously contended that the age of the retirement was reduced from 60 to 58 years on the basis of the policy adopted by the Coal Industry in 1973-74 wherein the cut off date was given as 5-3-74 and those who were appointed prior to 5-3-1974 were permitted to retire at the age of 60 years and those who appointed on or after 5-3-74 were to retire at the age of 58 years. But even the Coal Industry has revised its policy of age of superannuation and adopted 60 years of age of superannuation for its officers. In that view, the Singareni Collieries also ought to have revised its policy fixing the age of superannuation of officers at 60 years. In fact, the learned counsel for the writ petitioners asserted that even the respondents have adopted after the filing writ petition the age of superannuation to be as 60 years as that of coal industry and officers those who have entered the service after the cut off date 5-3-1974 and serving were made to retire only on attaining the age of superannuation at 60 years. The learned counsel also placed before this Court the letter purporting to have been issued in respect of one Mr. V. Ramakrishna wherein it is stated that the said Ramakrishna will retire on superanuation from service with effect from A.N. of 31-5-2005 on attaining the age of 60 years. In view of the said assertions and also in view of the letter dated 19-5-2003, without expressing any opinion on merits, the respondents are directed to reconsider the matter and pass appropriate orders within a period of three months from the date of the receipt of a copy of this order.

The writ petitions are accordingly, disposed of. No order as to costs.

Justice C.V.RAMULU

DATE : 22-08-2005

Dvs

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